O/National Certificate/53

1953

File No. 22/53

P 2E

Legal Department
G BRANCH

Subject:– Opinions on the National Certificate

O/National Certificate/53

File No. 22/53

Gen. 194 e.

C O N T E N T S.

Legal Department File No. 0. National Certificates/53(0-33)

Ur.No.	R.I. /O.No.	Subject.	Pages.
		Opinions on the National Certificates.	
1.	O.No.0-33 29-1-53.	No.1 Furnishing of cash security forfeiture of (pl. see R.L.A's No. C-148 dated 2-4-53)	1-4

339.
10.8.56.
5 Copies.

Attention in this connection is invited to the R.L.A's opinion No. C-149, dated the 2nd April 1953 wherein it has been held that under section 65(c) of the Indian Evidence Act, secondary evidence can be given of the existence, condition and contents of a document when the original has been destroyed or lost. Although the file containing correspondence with Shri Bhatakar regarding furnishing of cash security is not traceable, it would be possible by producing relevant entries in the registers maintained by the Milk Commissioner's office to prove that the correspondence did take place and that as the result of that correspondence, Shri Bhatakar furnished 6 National Saving certificates of the value of Rs. 1,000/- as cash security. The facts that Government safe is not meant for keeping private things, that Shri Bhatakar has not so far demanded the National Saving Certificates and that similar cash security has been taken from the present incumbent, would support Government's case and the likely contention of Shri Bhatakar that he kept the 6 National Saving Certificates in the Milk Commissioner's office in safe custody and not as cash security, would not, therefore, stand in a court of law.

sd/- .....P.M.L.....

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Remembrancer of Legal Affairs.

R.B. to H.C., No., C-39, dated the 29th January 1953.

SSD:
6.3.53.
4 Copies.